

# Notice of Allowability

Application No.

10/615,627

Examiner

Katherine A. Bareford

Applicant(s)

DAMRAU, WAYNE A.

Art Unit

1762

## -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment of September 18, 2006.
2. ☒ The allowed claim(s) is/are 64-66,69-72,75-77,80-84,86-90,92-101,103,104,106-109,111,113-117,119-122,124 and 126.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All b) ☐ Some\* c) ☐ None of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

## Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_.

### REASONS FOR ALLOWANCE

1. The arguments and amendments of September 18, 2006 and the declaration of M. Trefz (first provided April 13, 2006) have removed all the outstanding objections and rejections of the case as (a) the amendment to the specification removes the objection to the specification as not clearly identifying the parent cases as discussed in paragraph 6 of the Feb. 1, 2006 Office Action, (b) the amendments to claims 64, 98 and 106 and the correction to claim 113 remove the claim objections as discussed in paragraph 7 of the Feb. 1, 2006 Office Action, (c) as to the claim for priority, the Examiner has reviewed applicant's arguments and the copy of the declaration by M. Trefz, and accepts that US 5968270 does show support for the variable width outlet orifice, as it is present in claim 1, for example of the patent. As a result, the rejections under 35 USC 102 and 103 using Ueberschar et al (US 5785253) and DE 196 51 739 are withdrawn as the effective date of these documents are after the effective priority date of the present application.

2. The following is an examiner's statement of reasons for allowance: the closest prior art is to Isayama et al (US 4299188), which shows flowing a coating liquid onto a concave curved surface to direct the coating liquid for flow in the direction of movement of the web surface and directing the coating liquid from the terminal portion towards the direction of movement of the web and at an acute angle relative to the web surface to contact the web surface with the side of the coating liquid sheet that was towards the curved surface. See Figure 2. However, Isayama does not teach or suggest

to (1) doctor the coating liquid on the web surface (as required by independent claims 64 and 81) as Isayama provides a slide bead process where controlled thinness of layers are applied to the web, (2) to flow the liquid through an elongate "bounded" concave surface and apply excess coating (as required by independent claim 98), as the Examiner understands the term "bounded" when used in regard to the curved surface to mean that the surface is enclosed as based on the described conditions in the specification and the plain meaning of the term "bounded" (see paragraph 10 of the Feb. 1, 2006 Office Action) and Isayama does not show an enclosed or "bounded" flow path, but rather one open at the top, and (3) that the flow path "includes a generally straight section immediately upstream from at least one portion of the flow path that changes in one direction only and leads to a terminal portion of the flow path" and "forming the coating liquid flowing along the flow path into a sheet of coating liquid on the at least one portion to subject the coating liquid sheet to centrifugal force to cause coating liquid to concentrate towards one side of the coating liquid sheet" (as required by independent claim 113), as Isayama shows movement in two directions, as in Figure 2, in the portion of the path following the straight section where the centrifugal force would occur.


Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Katherine A. Bareford whose telephone number is (571) 272-1413. The examiner can normally be reached on M-F(6:00-3:30) with the First Friday Off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Timothy Meeks can be reached on (571) 272-1423. The fax phone numbers for the organization where this application or proceeding is assigned are (571) 273-8300 for regular communications and for After Final communications.

Other inquiries can be directed to the Tech Center 1700 telephone number at (571) 272-1700.

Furthermore, information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
KATHERINE BAREFORD  
PRIMARY EXAMINER